



PLANNING COMMISSION

AGENDA REPORT

MEETING DATE: MAY 9, 2005

U. 3.
ITEM NUMBER:

SUBJECT: PLANNING APPLICATION PA-05-09
738 WEST 17TH STREET, SUITE F

DATE: APRIL 28, 2005

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

PROJECT DESCRIPTION

The applicant is requesting approval of a conditional use permit to establish a physical fitness facility in an existing industrial building, with a minor conditional use permit to deviate from shared parking requirements based on unusual operating characteristics.

APPLICANT

The applicant is Dennis St. Clair, representing the property owner, John D. Pierce.

RECOMMENDATION

Approve by adoption of Planning Commission resolution, subject to conditions.


WENDY SHIH
Associate Planner


R. MICHAEL ROBINSON, AICP
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 738 West 17th Street Application: PA-05-09

Request: Conditional use permit to establish a physical fitness facility in a 2,070 sq. ft. space of an existing industrial building, with a minor conditional use permit to deviate from shared parking requirements based on unusual operating characteristics.

SUBJECT PROPERTY:

Zone: MG (General Industrial) North: Surrounding properties
General Plan: Light Industry South: are all MG (General Industrial)
Lot Dimensions: 240 ft. x 300 ft. East: zoned and
Lot Area: 72,000 sq.ft. West: developed.
Existing Dev.: 28,725 sq.ft. industrial building

SURROUNDING PROPERTY:

DEVELOPMENT STANDARD COMPARISON (EXISTING BUILDING)

Development Standard Required/Allowed Proposed/Provided

Lot Size:		
Lot Area	10,000 SF	72,000 SF
Parking:		
Standard	95	N/A
Handicapped	4	N/A
TOTAL:		
	99 spaces*	63 spaces**

* Total spaces required with a physical fitness facility at 10 spaces/1,000 sq.ft.

** See staff report discussion.

CEQA Status: Exempt (Class 1)

Final Action: Planning Commission

BACKGROUND

The subject property is located near the northwest corner of West 17th Street and Pomona Avenue. It is zoned MG (General Industrial) and contains two, multiple-tenant industrial buildings, totaling 28,725 square feet. The property is surrounded by industrially zoned and developed properties on all sides.

The applicant proposes to establish a physical fitness facility within an approximately 2,070 square foot suite (Suite F). According to the Zoning Code, a conditional use permit is required for a physical fitness facility within the MG (General Industrial) zone. A minor conditional use permit is also required to allow a deviation in shared parking requirements due to unusual operating characteristics.

ANALYSIS

According to the applicant, the facility will be open Monday through Saturday with one-on-one training only between noon and 5:30 p.m. The applicant anticipates that the daytime sessions may grow to two students and two instructors at any one time. Evening group sessions will be from 6:30 p.m. through 9:30 p.m. with a maximum of 10 students and 2 instructors.

It is staff's opinion the proposed physical fitness facility will not negatively impact existing or anticipated uses on and off-site. The use will be conducted entirely within the building and will not create a parking impact on the property. The Zoning Code requires 10 parking spaces per 1,000 square feet of building area for a physical fitness facility, which would result in a parking requirement of 21 spaces for this suite, or 99 parking spaces overall; however, only 63 parking spaces (existing, nonconforming) are provided on the property. The actual daytime parking demand for the physical fitness facility will be 4 maximum (2 students and 2 instructors) at any given time rather than 21 spaces as required by Code. To minimize any parking impacts during the daytime hours, a condition of approval has been incorporated requiring the daytime parking does not exceed 4 prior to 6:00 p.m. (condition number 4). Since all other businesses on the property close by 6 p.m. daily, evening group sessions will not impact on-site parking.

The floor plan shows a stairway up to a second floor. The City has no record of approval or building permit for a second floor within this suite. Since the floor area ratio (FAR) on this property is legal nonconforming (maximum 0.25 allowed; 0.40 existing), no additional floor can be permitted. The applicant will be required to remove all illegal construction inside the suite prior start of business.

ALTERNATIVES

If either part of the application is denied, the physical fitness facility cannot be established on the property.

CONCLUSION

Since the proposed use will be conducted entirely within the building, and the existing parking spaces provided on-site are adequate to accommodate the physical fitness facility based on the limited number of students and offset hours for group sessions, staff does not anticipate the use will generate negative impacts.

Attachments: Draft Planning Commission Resolution
Exhibit "A" - Draft Findings
Exhibit "B" - Draft Conditions of Approval
Applicant's Project Description and Justification
Zoning/Location Map
Plans

cc: Deputy City Manager - Dev. Svs.
Senior Deputy City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Dennis St. Clair
2700 West Coast Hwy., Ste. 212
Newport Beach, CA 92663

John D. Pierce
18500 Von Karman Ave., Ste. 150
Irvine, CA 92612

File: 050905PA0509	Date: 04/27/05	Time: 8:10 a.m.
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RESOLUTION NO. PC-05-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF COSTA MESA APPROVING PLANNING
APPLICATION PA-05-09**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Dennis St. Clair, authorized agent for John D. Pierce, with respect to the real property located at 738 W. 17th Street, Ste. F, requesting approval of conditional use permit to establish a physical fitness facility in an existing industrial building, with a minor conditional use permit to allow a deviation in shared parking requirements due to unusual operating characteristics; and

WHEREAS, a duly noticed public hearing was held by the Planning Commission on May 9, 2005;

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit "A", and subject to the conditions contained in Exhibit "B", the Planning Commission hereby **APPROVES** Planning Application PA-05-09 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this resolution is expressly predicated upon the activity as described in the staff report for PA-05-09 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Should any material change occur in the operation, or should the applicant fail to comply with the conditions of approval, then this resolution, and any recommendation for approval herein contained, shall be deemed null and void.

PASSED AND ADOPTED this 9th day of May, 2005.

Chair, Costa Mesa
Planning Commission

STATE OF CALIFORNIA)
)ss
COUNTY OF ORANGE)

I, R. Michael Robinson, secretary to the Planning Commission of the City of Costa Mesa, do hereby certify that the foregoing Resolution was passed and adopted at a meeting of the City of Costa Mesa Planning Commission held on May 9, 2005, by the following votes:

AYES: COMMISSIONERS

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS

ABSTAIN: COMMISSIONERS

Secretary, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. The proposed development and use is compatible and harmonious with uses on surrounding properties.
 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 3. The project is consistent with the General Plan.
 4. The planning application is for a project-specific case and does not establish a precedent for future development.
- B. The information presented substantially complies with Costa Mesa Municipal Code section 13-29(g)(2) in that the proposed use is substantially compatible with developments in the same general area. Granting the conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the proposed use will be reasonably compatible with the surrounding area. The physical fitness use will be conducted entirely within the building. Granting the conditional use permit will not allow a use, density or intensity, which is not in accordance with the general plan designation for the property.
- C. The request to deviate from required parking based upon unusual operational characteristics does comply with Costa Mesa Municipal Code Section 13-29(g)(2) in that the deviation will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Specifically, the number of parking spaces required by Code exceeds the anticipated parking demand for the proposed use based on the limited number of students and offset hours for group sessions.
- D. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
- E. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng.
1. All illegal construction inside Suite F (i.e. staircase and second floor) shall be removed prior to start of business or approval of business license, subject to approval by the Planning Division and the Building Division.
 2. The conditional and minor conditional use permits herein approved shall be valid until revoked, but shall expire upon discontinuance of the activity authorized hereby for a period of 180 days or more. The conditional use permit may be referred to the Planning Commission for modification or revocation at any time if the conditions of approval have not been complied with, if the use is being operated in violation of applicable laws or ordinances, or if, in the opinion of the development services director or his designee, any of the findings upon which the approval was based are no longer applicable.
 3. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.
 4. The use shall be limited to the type of operation described in the staff report, i.e., a physical fitness facility with only one-on-one sessions prior to 6:00 p.m. and no more than 2 students and 2 instructors at any given time until after 6:00 p.m. Any change in the operational characteristics including, but not limited to, hours of operation, shall require approval of an amendment to the conditional use permit, subject to Planning Commission approval.
 5. If parking shortage or other parking-related problems arise, the applicant shall institute whatever operational measures are necessary to minimize or eliminate the problem, including, but not limited to, reducing the number of classes and/or students.
 6. The maximum occupancy, as determined by provisions of the Uniform Building Code or other applicable codes, shall be posted in public view within the premises, and it shall be the responsibility of management to ensure that this limit is not exceeded at any time.

PLANNING DIVISION - CITY OF COSTA MESA

DESCRIPTION/JUSTIFICATION

Application #: PA -05-09

Environmental Determination: EXEMPT

Address:

738 WEST 17TH STREET, SUITE F, Costa Mesa

1. Fully describe your request:

CONDITIONAL USE PERMIT TO OBTAIN A BUSINESS LICENSE FOR A PHYSICAL FITNESS FACILITY

2. Justification

- A. For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

SUBSTANTIALLY COMPATIBLE:

NOT DETRIMENTAL TO OTHER PROPERTIES: PRIMARY HOURS OF OPERATION ARE EVENING AFTER OTHER BUSINESSES HAVE CLOSED

- B. For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)

☐ In a flood zone.

☐ Subject to future street widening.

☐ In the Redevelopment Area.

☐ In a Specific Plan Area.

4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:

☒ Is not included in the publication indicated above.

☐ Is included in the publication indicated above.

Wm. Dea
Signature

3-31-05
Date



CONTRACTORS & COST CONSULTANTS

April 01, 2005

City of Costa Mesa Planning Department

Re: 738 West 17th Street, Unit F., Costa Mesa, Ca.
Project / Activity #: PA-05-09

Dear Planning Department:

I have attached the business names and hours of operation for every business located at 738 and 746 West 17th Street, Costa Mesa, California. The business starting hours for all of the existing business are between 8:00 and 8:30 AM. The business ending hours for all of the existing businesses are between 3:00 and 6:00 PM. Only one of the businesses is open on Saturdays from 8:00 AM until 12:00 Noon.

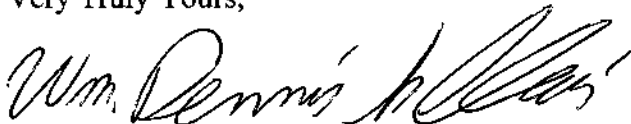
The subject business, Bear St.Clair's Foxy Boxy Fitness Center's hours of operation are as follows:

Monday through Saturday:

12:00 noon through 5:30 - Personal Training = One Student and One Instructor
It is anticipated that Personal Training will grow to Two Students and Two Instructors.

6:30 PM through 9:30 PM – Group Classes = Six Students and One Instructor
It is anticipated that Group Classes will grow to Ten Students and Two Instructors.

Very Truly Yours,



Wm. Dennis St.Clair, General Building Contractor #319388

Attachments

DENNIS ST.CLAIR, GENERAL CONTRACTOR
2700 West coast Highway, Ste. 212, Newport Beach, California 92663
Phone (949) 631-0553 Fax (949) 631-0554
Lic #319388

Business Names and Hours of Operation

Building 738

Suite A – Japanese and English Car Service

M – F 8:00 am – 5:00 pm

Sat & Sun Closed

Suite B – AAA Convertible and Sunroof Services

M – F 8:30 a.m. – 6:00pm

Sat & Sun Closed

Suite C – Vacant

Suite D – California Blimps

M – F 8:30am – 3:00pm

Sat & Sun Closed

Suite E – Vacant

Suite F – Bear St. Clair's Foxy Boxy Fitness Center

M – F

Sat

Sun Closed

Suite G – Tint Masters

M – F 8:00 a.m. – 5:00p.m.

Sat 8:00 a.m. – 12:00pm

Sun Closed

Building 746

Suite A Universal Auto and Marine Upholstery

M – F 8:00 a.m. – 6:00p.m.

Sat & Sun Closed

Suite B Kevin's Automotive

M – F 8:00 a.m.- 5:00 p.m.

Sat & Sun Closed

Suite C Oscar's Auto Electric

M – F 8:00 a.m. – 5:30 p.m.

Sat and Sun Closed

Suite D – Vacant

Suite E – Vacant

Suite F Quality Automotive

M – F 8:00 a.m. – 5:00 p.m.

Sat & Sun Closed

Suite G - Auto Technical Service

M – F 8:00 a.m. – 5:00 p.m.

Sat & Sun Closed

ZONING/LOCATION MAP

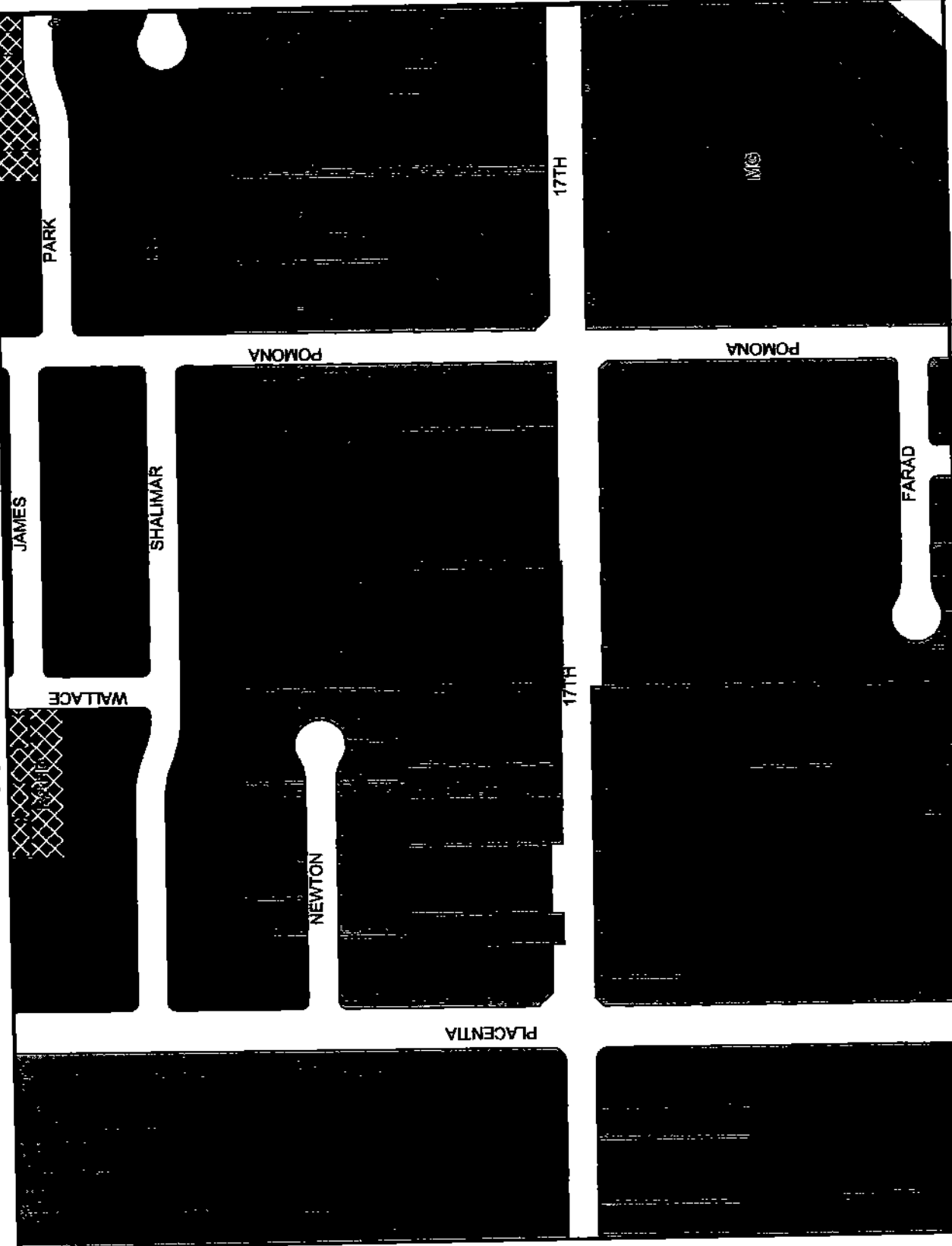
738 West 17th Street

Legend

- ☐ Selected Features
 - Street Names
 - Parcel Lines
 - City Boundary
 - Zoning
- | | | | | | | | | | | | | | | | | | | | | |
|----|----|------|----|----|-----|-------|----|----|---|-----|-----|--------|--------|--------|---------|----|-------|-------|----|----|
| AP | C1 | C1-S | C2 | CL | EAR | EAR-S | HQ | MP | P | PDC | PDI | PDR-HD | PDR-LD | PDR-MD | PDR-NCM | R1 | R2-HD | R2-MD | R3 | TC |
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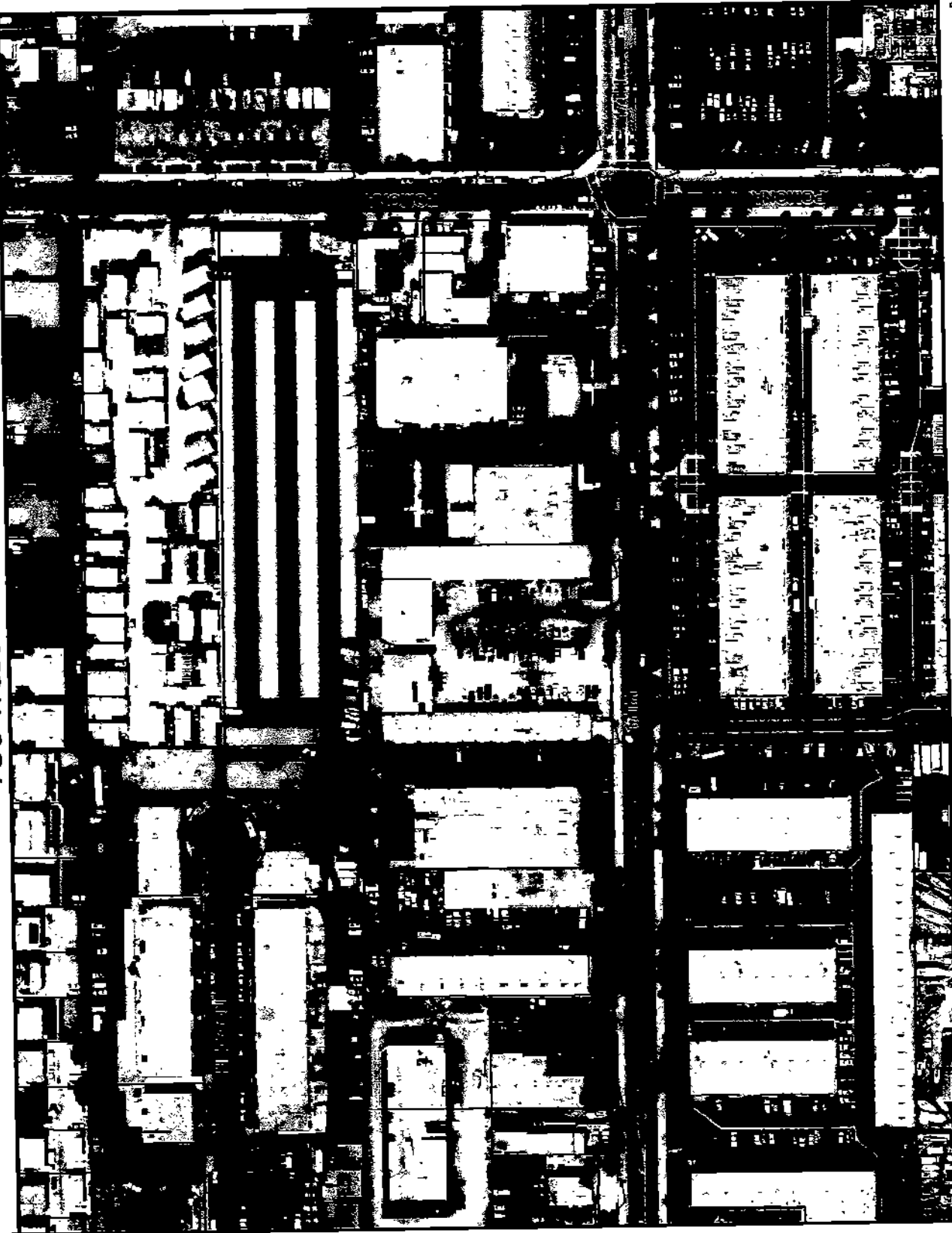
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AERIAL PHOTOGRAPH

738 West 17th Street

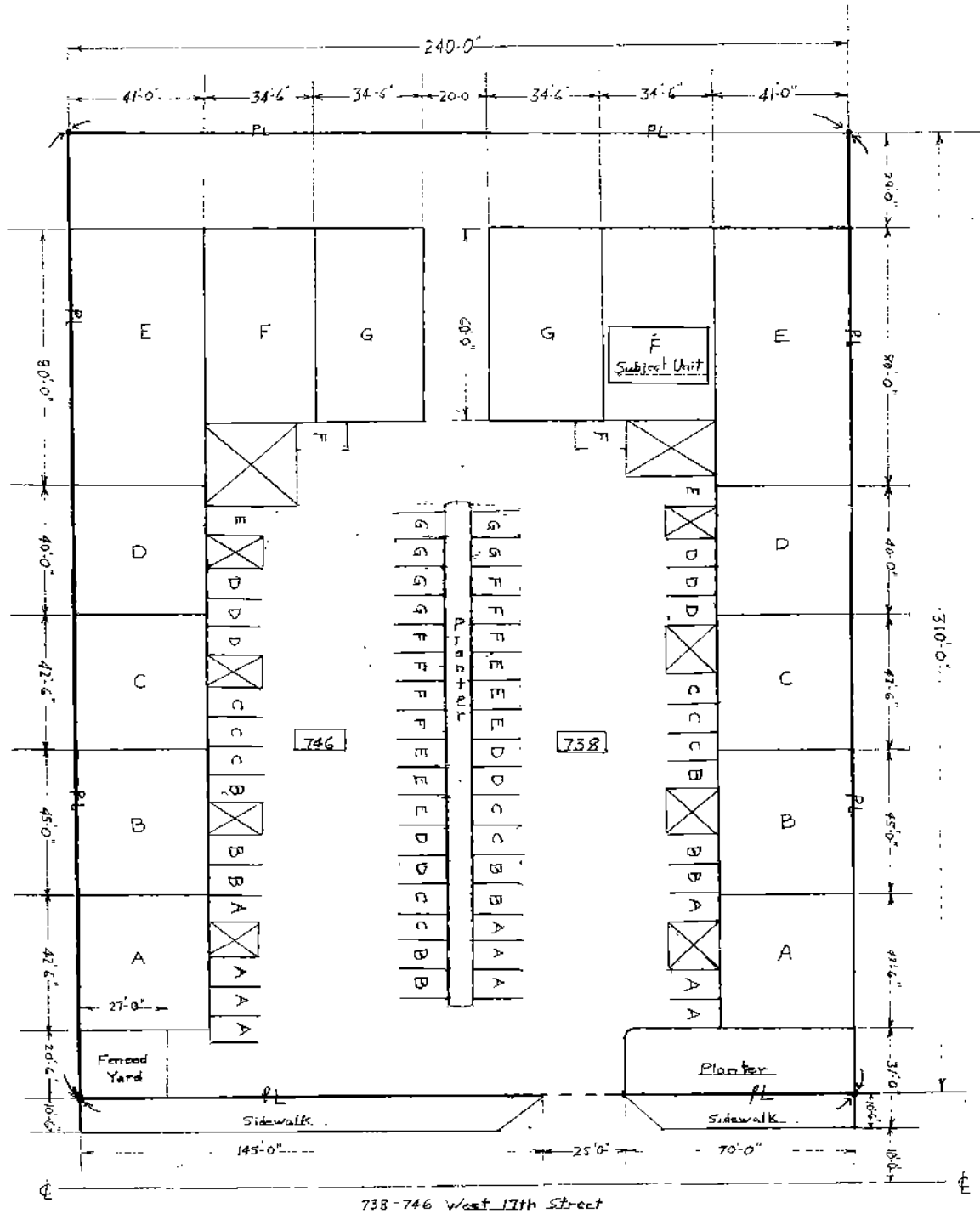
Legend

- Street Names
- Parcel Lines
- City Boundary
- Ortho Photography



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SITE PLAN
 738-746 West 17th Street
 Bear St. Clairs
 Foxy Foxy
 Fitness Center..

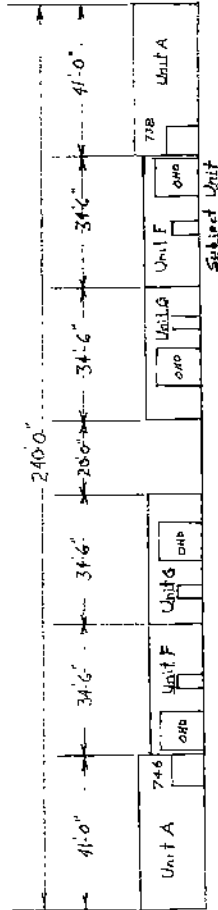
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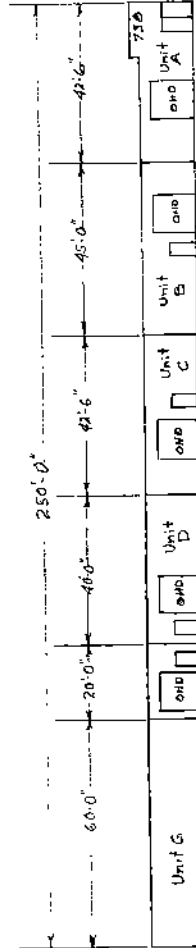
CONTRACTORS & COST CONSULTANTS
 Wm. "Dennis" St. Clair
 General Contractor License # 31938
 280 West Coast Hwy., Ste. 212 • Newport Beach, CA 92660
 PHONE (949) 435-6723 FAX (949) 431-4554
 VOICEMAIL (949) 289-6225 dennis@stclair.com

File Copy
 Scale: 1" = 20'

Sheet
 A.1
 Site Plan



South Elevation.



Notes:
South Elevation
1. E Units are behind Units A, B, C & D
2. OHD = Overhead Door

West Elevation
1. 60' of Unit E is behind Units G & F
2. OHD = Overhead Door

CONTRACTOR & COST CONSULTANTS
Wm. "Dennis" St. Clair
General Contractor
200 West Gate Street, Ste. 312 - Newport Beach, CA 92660
PHONE (949) 531-5553 FAX (949) 821-4946
JANVILLE (949) 294-4380 dennis@stclair.com

BUILDING ELEVATIONS
738 West 17th Street
Bear St. Clair's
Exoxy Boxxy
Entrance Center

Sheet
A.3
Bldg.
Elevation

Scale: 1" = 20'

738-746 West 17th Street